NIRLO'S GARDEN.
NO. D'GOMAR, THE GARBARTAN, Miss Beteis Meser J. C. Comper, Geo. Becks, J. G. Bernet,
E. Rafton, J. W. Maisdell Danvers Barry, Mistimes at 1 o'clock. Miss Beterma in LEAU.

CLYMPIC THEATER.

CLYMPIC THEATER.

THIS EVENING, at B, THE THREE GUARDSMEN Mexicon Wood, Medame Methau-Scheller Miss Kale Newton Mexicon Fawtett Rowe, G. C. Boniface, J. R. Studiey, C. H. Rockwed, H. W. Gartison, J. H. Studder, Geo. Kames, James Lewis, J. J. Hard, J. J. Leigh, C. H. Morton.

THIS EVENING, at 14-SHANDY MAGGIRE; Or, THE IDIOT OF THE SHANNON-IN AND OUT OF PLACE—BARNEY THE BARON, Mr. and Mr. Barney Williams

BROADWAY THEATER.
TO DAY, at 11 o'clock, SOLON SHINGLE: Last appearance of John E. Owens. No performance this evening.

THIS EVENING THE HYPOCHONDRIAC-THE SERIOUS

BARNUM'S AMERICAN MUSEUM.
THIS AFTERNOON, at 2, and THIS EVENING at 3, THE
EARTHQUAKE, OR THE SPECTER OF THE NILE—ONE
RUNDRED THOUSAND CURIOSITIES. THIS EVENING JACK AND GILL WENT UP THE HILL.
Mr. O. L. For as Clown, slee, a DEAMA and FARCE. Matinese

THIS EVENING AT EQUESTRIAN and OYMNASTIC PER-FORMANCES: M. James Robinson, Little Clarence, Master Seagrist, Mr. James E. Cooke, Mile. Carlotta de Berg. Matines at 24 a clock.

BRYANT'S MINSTRELS.
THIS EVENING, TAMING THE ELEPHANT, LES MISER ABLES OLD THE'S ROCKS PLATANTION FESTIVAL SCENE, HIGH DADDY, SHYLOCK, OT THE LEW OF CHATHAM ST. Mossis. Dan Bryant, Rollin Howard, N. Seymour, Neil Bryant. CHRISTY'S MINSTRELS.
TO-DAY, at 2. Matines at Christy - Opera House, Fifth-ave

THIS EVENING, Musical Performances by BLIND TOM. Ma-

HOPE CHAPEL, No. 720 Broadway
THIS EVENING, Mr. Albert Russell in PRESTIDIGITATION
and VENTRILOQUISM. Marines to-day.

S. P. AVERY'S OALLERY, No. 694 Broadway. TO-DAY, exhibition of Washington Allaton's painting, "SPALA-TRO'S VISION OF THE BLOODY HAND."

DODWORTH HALL.
TO DAY, Mathies at 2. THE CHILD VOCALIST, LA PETITE
FLORENCE REYNOLDS.

BROOKLYN ACADEMY OF MUSIC.
THIS EVENING, close of the season of German Opera. THE MAGIC FLUTE, by Mozrit. The Double Chorus and Orchestes from the New-York Academy of Music.

### Busmess Notices.

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Extract from the "Life of Washington Streing," by his nephew. Pierre M. Irving, Vol. IV., page 272:

The doctor prescribed, as an experiment-what had been suggested by Dr. (O. W.) Holmes on his late visit- Jones Whitcomb's Remedy for Asthms, a tempoonful in a wineglass of water, to be taken every four hoors. A good night was the result."

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NUMBER LORINGERS For a safe and effectual preventive of Asiatic Choleta. For safe by Druggista,

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PIANOS AT REDUCED PRICES.—Owing to extensive alterations to be raide in Store No. 411 Breadway, a very large amoutment of new and recond-hand Pianos will be sold at greatly reduced prices, before the lat of May. 50 Pianos, Maldragons and Cambra Organs to trut.

Horace Waters.

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# New-Dork Daily Tribune.

SATURDAY, APRIL 28, 1866.

To Correspondente. notice can be taken of Anonymous Communications. Whateverise intended for insertion must be authenticated by the name and address of the writer-not necessarily for publication, but as a guar

anty for his good faith.

All business letters for this office should be addressed to "The Tais CNE," New York.

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## NEWS OF THE DAY.

GENERAL NEWS.

Reports from the cholera ships in the bay are quite en reports from the choicer sings in the on-couraging. The maisdy seems to be under control. There were three deaths vesterday, and an aggregate of 88 cases. Dr. Swinburne, the Health Officer of the port, communicates his customary letter to the public this morning. The England's passengers are becoming

A meeting of the Liquor Dealers Association was held last night. The counsel of the the Association, Mr. J. M. Smith, having expressed an opinion that the Excise law is entirely constitutional, the meeting resolved to conform o its provisions without opposition

Penians appear to to be rapidly simmering down. The O'Mahonyites are quarreling among themselves, and the body of the Irish appear to regard Roberts the only leader worth following, if indeed, he is.

Mrs. John Gilbert, wife of the distinguished comedian, died at her husband's residence in Twelfth-st., in this city,

esterday at about noon, after an illness of three weeks. Henry J. Bigelow, M. D., of Boston, has discovered a new anasthetic agent which he calls rhigolene. It is aydro-carbon, and is obtained from petroleum.

The ancient Stuyresant pear-tree, at the corner of Third-ave, and Thirteenth-st., is now in full bloom, and looks more vigorous than for several years.

The Board of Health had a session yesterday and several matters of interest were acted upon, as will be seen on a perusal of the report.

A horse railroad company in Worcester, Mass., has failed, after struggling against adverse circumstances for a vear and a balf.

An alarm of fire at about 91 o'clock last evening proved o have no authentic source. The alarm proceeded from The Noelte case has been postponed another week, the sheriff persisting in his determination not to surrender the

The Madison-ave, bond robbery case was further inves-tigated yesterday. The hearing will again proceed next Monday.

The trial of Anton Probet progressed during yesterday at Philadelphia. No witnesses are to be called for the The Massachusetts House of Bepresentatives has agreed

to a proposition for equalizing soldiers' bounties, by 125 mantike solution of our remaining difficulties, be

There was trotting on the Fashion Course yesterday. The pursa was \$100, and the best time made was 2:37.

The Albamy Journal is informed that the Genesee Valley Canal will not be opened before May 25.

Gold was strong yesterday, and sold as high as 1291, closing at 1291. The 7-30s are without change, and the 10-40s are per cont lower. Money is abundant at 425 per cent. In Commercial Bills no change. Starting Bills are held firmly at 108 2 108; for leading names at 60 days, short sight, 1092-1094. Parts at 69 days, 5.261 25.241, do at abort sight, 5.151 2 5.174. Autworp, 5.261 25.244, Swiss, 5.24 25.331.

CONGRESS. SENATE.

APRIL 27 .- The House amendments to the West Indies Telegraph bill were non-concurred in, and a Conference Committee asked for. The bill for relief of certain nava contractors was passed, a motion to postpone having previously been rejected II to 25, and to recommit, 13 to 33. A resolution was offered by Mr. Wilson for the amendment of the Constitution, and the Senate adjourned till Monday.

A resolution was adopted, requesting the President to communicate the Laws, &c., of the Southern States concerning the freedmen. A large number of private bills were passed and otherwise disposed of. The Northern Pacific bill was taken up and debated at length, and amendments were effected. The provious question was moved by Mr. Price, who was to close the debate, when Mr. Spanding moved to by the bill and amendments on the table, which was carried, 76 to 56, and another to reconsider was also laid on the table. Adjourned.

The Northern Pacific Railroad bill was killed yester day in the House; a motion to lay the bill and amendments on the table being carried by 76 to 56, and a motion to reconsider also laid on the table. The bill is dead for this session.

The Legislature of Tennessee (House) has refused, by 40 to 18, to admit to seats seven members who resigned in order to break up a quorum, and were reelected. By this vote, they are declared ineligible to

Gov. Peirpoint of Virginia has declined to give his ame to an application for the hall of the House of Delegates at Richmond for a lecture to be given by the late Rebel Gen. Colston in honor of the life and services of the late Gen. Thomas Jonathan (alies Stonewall) Jackson. The Governor plainly regards eulogies on Jackson as but a covert mode of eulogizing and commending treason. Which intensely disgusts The Richmond Framiner.

The Associated Press last night received from Washington a telegraphic summary of the highly important diplomatic negotiations between our Government and that of France, concerning the recognition of the Mexican Empire by the United States. Tug TRIBUNE yesterday, alone among the morning papers, printed the most important dispatches on this subject in full, and, therefore, can afford to omit this morning the telegraphic summary.

A special dispatch from Washington gives the result of the New-York Congressional caucus on reconstruction, in the shape of resolutions embracing the amendments to the Constitution, to be ratified by the Rebel States precedent to their readmission. Representatives are to be apportioned according to numbers, excluding Indians not taxed, and when male citizens not less than 21 years of age are excluded, except for participation in the Rebellion, they shall not be counted in the basis of representation. Only loyal persons are to be permitted to vote for President and Representatives; no Rebel debts to be paid by any State or by the United States. It is to be further enacted that certain specified classes of prominent traitors, civil and military, shall be ineligible to office. The text of the proposed measure will be found in our dispatch, and we are assured that it is likely to be favorably considered by the Reconstruction Committee.

### PRINCIPLE AND POLICY.

The N. Y. Times saw fit, last Wednesday, to lay down the following fundamental basis of Reconstruc-

"If there is anything fundamental in free institutions, it is the principle that all States and all people that are required to obey the laws, shall be represented in the Congress which makes them. A government which denies or discards this principle is a despation—we care not what may be its form nor under what pretent it may clock its tyranny. Unless this is true, then the whole theory of free institutions, of self-government, of representative republics, is a cheat and a sham."

-Sincerely desirous of an early and complete restoration of the States lately in revolt to their former and proper relations to the Union and to the steadfastly loyal States, we hailed the above as wise and just, and offered to unite upon and abide by it, without cavil or reservation. We urged The Times, and those with whom it is in general accord, to unite with us on that basis, and put an end to the existing

complication-closing with this question: " Is The Times ready to pledge itself to a hearty and con-

-The Times gives no response to this respectful nquiry, but has, instead thereof, a tirade against Mr. Wendell Phillips and what is termed "the Radical Programme," which is set forth as follows:

Programme," which is set forth as follows:

"We apprehend that, when they can get their courage up to the "sticking-point," this is precisely the course which the Radicals in Congress will endeavor to purse: "Universal usgroundfrage," as the condition size yes sens of the Restoration of the Union, is now, and has been from the beginning of the session, the grand goal and object of all their efforts. They have cloaked it more or less, parily from policy and parily from fear; but the time is drawing high when they can cloak it no longer.

All the talk and all the excitement that has been raised about Constitutional Amendments, equality of Civil Rights, same of the Rebel States, &c., &c., has been simply dust thrown in the eyes of the public to cover the approach to the grand fundamental, indispensable principle of universal usground ever again be admitted to the Union. This is the secret of all the elaborate legal endeavors to prove that the Union is destroyed—that the States went out of it, and that they can get back only on such conditions as Congress may preseribe. This was the reason why Stevens proclaimed them conquered States, deprived of all rights, excluded from the protection of the Constitution, and to be dealt with as conquered subjects, at the sovereign will and pleasare of the conquerors. This was the object of Mr. Shellavarger's studied legal argument in support of the doctrine of State suicide, and of his more recent effort to prove that, even if the Rebel States are in the Union, they may rightly be held to have forfeited all the rights of citizenship unfer the Constitution. The feebler but still more realous efforts of Hart, Ward, Holmes, and other Radical members from this State, have all aimed at the same thing—manuely, to lay a foundation for demanding, at the hands of the South, universal negro suffrage as the condition of restoration."

—We judge that the above is inspired by another

-We judge that the above is inspired by another mind and penned by another hand than those which so justly set forth, in the same editorial column, "the principle" "fundamental in free institutions," only two days before. Possibly, the two may somehow be reconciled: if so, we would like to see the feat attempted by the subtle genius of The Times.

Let us have a clear understanding of terms. If by universal Negro Suffrage" is meant that every negro deem it best that even every White male adult citizen shall vote: then why every Black one? Felons, idiots, lunatics, and many other classes, are, for good reasons, excluded from the electoral body. What we contemplate and advocate as Impartial Suffrage implies only that no Black man shall be debarred from coting for any reason that does not likewise disfranchise a White man. This is precisely what we demand and insist on. Does The Times assent to it ? If so, there is no ground of substantial difference between us. If it does not, then its harping on "universal Negro Suffrage" is vague and misleading.

There is a large portion of the American People who have forfeited their political rights by rebellion and treason. There is another large portion who, having mainly been slaves till recently, have not yet been politically enfranchised. We propose that the political disabilities under which these two classes now labor shall be at once and absolutely removed, so that no man shall henceforth be disfranchised in any State because of his color or because he has been a Rebel. Why is not this just, fair, wise-nay, even generous If the Republic can wholly forgive and restore to every forfeited right those who desperately sought her life, why may she not treat with equal favor those whose only offense is their color-who are poor and

good enough to tell us why.

LAW AND LIQUOR. The Daily News seeks to commend itself to the grogshop interest by an elaborate tirade against the

The State Legislature seems determined to grown the City of New York into Black Republican traces. The write the City of New York into Black Republican traces. The write effects of new ise central logislation appear to concentrate upon the Metropolis, and of all the unjust, inexpedient, naporalize and probably unconstitutional measures adopted by the Radicals at Albany, the Excise bill is the most analyst, the most inconstitutional. It has siready created a storm of indignation that we do not think any legislation can withstand, and the spirit of popular opposition thus evoked will defeat the purposes of the bill, and will help to destroy the party with which it originated. The provisions of the bill might be enforced in the rural districts, but not in the great commercial emporium of the Republic, the center of commerce, travel and social life, whose conveniences and very necessities rebed against the spirit of this arbitrary ast. A community like his, whose welfare and advancement depend upon the free action of its machinery of business infercourse, cannot endure the restrictions of trade contemplated by the Excise bill, and when the people, in addition to the material injury threat-ned to their pecumary interests, appreciate the fact that the object of the bill is to secure political power to the Black Republicans, they will find some means to rend assunder the meshes of the ingenious set that has been east over their city." new Excise act, commencing as follows:

-There is just a spice of truth in the main inculnation of The News. We certainly do believe that, there were less drunkenness, less riot and desuchery of all kinds, there would be fewer Demoerats, according to the classification of The News. Hence, we do not care to deny that we consider the naw Excise act politically as well as morally wholeome. Stop the manufacture of drunkards, and we shall confidently look for a diminution in the numerical strength and absolute power of negro-hating Sham Democracy.

As to the "storm of indignation," if amoun' exsetly to this: The laws of our State have always precribed that you must be licensed in order to retail ntoxicating Beverages; but the lower grade of rumsellers in our City have been accustomed to defy the law. The law says no one must sell on Sunday; but they defy this also, with many other restrictions. Now, the new Excise act undertakes to make these estentations law-breakers haul in their horns and espect the laws of the land; which (we are told) xeites their "indignation." We can assure them hat apprehension would be a more wholesome

The News assumes that the Liquor Traffic may be egulated and restrained in the rural districts, but not a this great, dissolute City. We shall see. It may that Avarice and Appetite will "rebel," as The ices predicts; but, if so, their strength cannot be rore formidable than that of the recent Rebellion, thich The News fomented and upheld, but which ome to a bad end, as did many of its inciters. If any ne is tempted to "rebel," let him ponder the fat f the slaveholding rebels, and forbear. There will b liquor enough sold, and it will be easy enough to et liquor, under the Excise laws as they stand, but it the rumsellers "rebel," and Rumselling may fil into the pit where Slavery is now hissing out its tial curse. Better let rebellion alone.

### MR TEST-OATH-OLGHT IT TO REPEALED?

The advocates for the repeal of the test-oath have gengthened their case by the assumption that the oth was a war measure, and that the Congress which pssed it did not intend it to endure in time of peace. his was assumed by the President in his me teommending a modification. The Judiciary Comattee, in their recent report to the House, dispose of ts fallacy by showing that Congress intended to esablish a permanent rule of public policy, which shuld exclude from the offices of the United States evry citizen who had voluntarily abandoned his allegince to the Government. Shortly before the passae of the act appeared the famous (or infamous) Yiee letter, written by the Florida Senator in Januar, 1861, revealing the deliberate purpose of the leding conspirators to retain their seats in Congress, morder to prevent the passage of any force, loan, or yeanteer bill, which might put the United States in cadition to crush the Rebellion when Mr. Lincoln cane into power. It was shown that the Rebellion ever could have been organized had not its master pirits held office under the Government which they ad sworn to support, and were plotting to destroy. No one," say the Judiciary Committee, "no one ut a Imadman could think of trusting these men gain with official power in this nation. Congress ad the country were convinced that upon the consiences of such men the ordinary oath of office would hve but little effect, and that the safety of the nation rquired their exclusion from office altogether. The tst-oath of 1862 was one of the results of this convic-

The effect of this statement is to change th burden of proof. Those who urge a rocal of the law are now bound to show that the policy o Congress in 1862, in seeking to secure the Government against future conspiracies, was a mistaken policy, ad that eircumstances have since occurred which mke it safe to restore to power and to opportunity fo other crimes those traitors who have been once fosworn, and have once failed in their attempt to destey the Union. But the Committee concur with the reterated declarations of the President, that treason is a rime and must be punished, and made odious, and thy recommend Congress to concur and adhere to th principle of a law which was intended to make trason odious by teaching the people that no traiter is worthy to hold any position of public trust under

The President, however, recommends a modification of the eath, basing his opinion on the statements of the Secretary of the Treasury and the Postmaster-Gueral, in reference to business of their departments. The former official remarks in the course of his argu-

ment:

The country was in a peculiar condition. The Rebellion has come to a sudden close. All resistance to the authority of the United States had ceased, and some 7,000,000 of people, in a sate of utter disorganization, were left without any civil government whatever, and without even an adequate military pracetion against anarchy and violence. Under these circumstances, as it seemed clearly to be the duty of the Executive to stocked at once to establish the Federal authority and civil government in these States, so it seemed to be necessary to early into effect the revenue laws of the General Government. As the country was passing from a state of war to a state of peace, and the emergency seemed too pressing to admit of peace, and the emergency seemed too pressing to admit of peace, and the in view of the great objects to be obtained, in some cases be dispensed with, or, rainer, that persons might be permitted to hold revenue offices who could take it only in a qualified form. The President, by his indorsement of Mr. McCul-

loth's report, makes this argument his own, and it mey be dealt with as his the more unhesitatingly, inshall vote, we favor no such proposition. We do not as much as he authorized that remarkable dispensing policy which is herein defended. Mr. Johnson cannot disguise his feeling that his policy is badly in need of some defense. But when he arges that it was clearly his duty to proceed "at once" to reëstablish civil government in the revolted and conquered States, and that "the emergency was too pressing to admit of delay till the meeting of Congress," he forgets to explain why he did not immediately assemble Congress, as he might have done before he issued his first proclamation. Why did he not! Clearly not because he believed the President alone possessed ample power to deal with the questions of reconstruction, for he-or, what is the same thing, Mr. Sewardtelegraphed to Provisional-Gov. Sharkey of Mississippi that "the government of the State will be provisional only, until the civil authorities shall be restored, with the approval of Congress." That was in July. In September he repeated to Gov. Marvin of Florida that it must be distinctly understood that the restoration of the State would be subject to the decision of If, then, the President believed, as he says he did,

the legislation of Congress necessary to the restoration of the States, how could be have imagined that he had power to dispense with such legislation as he found already in existence? Was the emergency so ignorant only because they have hitherto been brutalised chattels? If this is not a beneficent, and states instify him in nullifying the law which expressly rethe great measures of reform calculated to benefit the

stricted the revenue appointments to loyal men! Upon this matter the explanation of the President is less full than might be wished. Mr. Johnson's argument, if it means anything, means that because he has violated the law, Congress ought to repeal it.

We can, indeed, conceive of a case in which the President might be justified in disregarding a law, though we cannot conceive the administration of the revenue laws to constitute, under any circumstances, one of those pressing emergencies where the life of a nation might need to be preserved at the expense of a broken statute. But was there in this case any need to break the statute even for the sake of administering the revenue laws-that is, of appointing certain persons to office in the Rebel States for the collection of revenue? The Secretary of the Treasury gives a list of 55 officers appointed in violation of law, and his apology is this:

his apology is this:

"In most of the Southern States nearly every man of the character and intelligence necessary to qualify him for a position as revenue officer, some time during the progress of the war either engaged in hestilities against the Government of the United States, or held, willingly or unwillingly, office under Revel sutherity. Hence it has been necessary, as before stated, to employ in a few important but not remunerative positions, and in most of the subordinate ones, men of this class, especially as the salary and inducements of the offices were generally too small to induce Northern men to accept them.

The Committee think the Secretary might have found loyal men if he had looked. They find from the records that the Rebel States furnished no less than 42,605 men to the Union armies. Is it possible that out of this multitude there were not 55 competent to fill the revenue offices to which the Secretary preferred to appoint traitors? Congress in 1865 resolved that soldiers ought to have the preference in appointments to civil offices-a resolution which apies with peculiar force to those noble loyalists from the Southern States who fought in the Union armies. Can there be a doubt that the Federal offices might and should be filled by them? Where then was the necessity of violating the law, and what becomes of the argument for repealing it?

It must even be doubted whether the President and his Secretary can in all cases plead the excuse of ignorance for violating the law. We find, in one instance, Mr. J. J. Giers of Alabama applying for an appointment, backed by such certificates as these: Mr. Giers is a loyal citizen of Alabama, and has done many acts to prove his position.

"May 14, 1865. G. H. Thomas, Major General."

"I know Mr. Giers well, and I have always found him ready to aid the Government in every way possible. He is compe-tent and reliable. U. S. Guant, Lieutemant-General. "February, 18, 1866." "NASHVILLE, Tenn., September 30, 1864. To President Lincoln: Mr. triers is a gentleman of integrity and respectability; he is one of the few in that country

who stood firm to the Union. Any kindness you may show him will confer a personal favor upon me. ANDREW JOHNSON."

Yet Mr. Giers was not appointed, and Mr. Sykes, member of the Rebel Legislature of Alabama, Other cases might be cited; but it can scarcely be necessary to pile up proof in order to show that the pretext of necessity for violation of the law breaks down utterly, and that the argument for repeal, on the same ground, is left without a leg to stand on. While there are thousands and tens of thousands of loyal men in the Rebel States who have served in the Union armies, and are capable to fill Union offices, the North will not listen with patience to a proposition to repeal the test oath in order to pass over these loyalists and smooth the path of traitors to preferment and power.

#### MULTIPLYING OFFICES AND INCREAS-ING SALARIES.

It has been the custom for years for our Common Council to create office after office of no possible advantage to the City, and then to place in these sinecures political favorites who have nothing to recommend them except presumption and incompetency. And this practice has proceeded to such lengths that, were the matter not so serious in its results, it would be humorous to observe the ingenuity of the rogues who manage to manufacture so many pigeon-holes in which to place their friends at fat salaries-taking everything for doing nothing.

We are informed that the City Pathers have no been accustomed to even wait to be called upon for extra help by the heads of the departments in which they created the new clerkships, but have manufactured the positions according to the wants of their friends, whether or not the services of these persons were needed. And the heads of some of the departments have complained to the friends of Reform that these positions and persons have been thrust upon them, not merely against their will, but against their solemn protestations. And this system of multiplying offices accounts for the great number of idle fellows who hang around all the departments, doing no save interrupting the transaction of business, and drawing their monthly support from the City Treasury. Most of these persons are either thieves of paupers. They do nothing for the large amounts they draw from the tax-payers; and they are welcome to place themselves with either of the above two

Another plan, practiced by our worthy Aldermen and Councilmen to rob the people and to enrich themselves, has been to largely increase the salaries of clerks, and direct the increase to commence several months back. It is not generally known that the back pay at the increased salary was invariably taken by the Alderman or Councilman who had charge of that little job.

But we think the Citizens' Association has succeeded in stopping this big leak; for we find in Section 2, of the City Tax-Levy, the following:

"And the Common Council of the City of New-York ar-reby prohibited from creating any new office or department increasing the salaries of those now in office." If those whose duty it is to see to the matter will only act wisely and promptly in the premises, we

think great good can be done, and much wrong prevented. We judge from the proceedings at the last meeting of the Common Council that there are a number of projects on foot to create new positions and to increase salaries. We hope Mayor Hoffman will be on the alert to check by his veto any attempted violation of

the express provisions of the law in this respect. We would likewise remind Corporation Counsel O'Gorman that he was elected as a Reform candidate, and is expected to use promptly, if necessary, the machinery of the Courts to cause all the provisions of the Tax-Levy to be observed.

ABBAHAM LENT. Let us briefly examine the record made by Abraham Lent during the past Winter at Albany: 1. Upon the proposition to take the completion of

the New Court-House out of the hands of the Supervisors and place it in those of gentlemen in whom the people of this City have some confidence, Mr. Abraham Lent voted "No." And this was not all; for, during the discussion on the resolution, Mr. Lent rose in his seat and stated that the Supervisors were honorable men, in whom the people confided, and that to withdraw the work from them would greatly interfere with the speedy, successful and economical completion of that building.

2. Upon the question of consummating the Ann-st. swindle, by saddling the expense of the so-called improvement upon the City at large, Mr. Lent is found voting "Yes."

3. Upon the motion of Judge Low, in the Senate, the item of City Contingencies, for which the Controller asked \$60,000, the Board of Councilmen, \$100,000, and the Board of Aldermen, \$150,000, was cut down to \$10,000. For all objects of legitimate expenditure under this head \$5,000 would be ample. But, subsequently, Mr. Abraham Lent moved that this item increased from \$10,000 to \$60,000, and the motion prevailed.

It was after much and earnest solicitation on his

social and computercial interests of New York, that Abraham Lent, in the last election, received the indorsement of the Citizens' Association. It was by reason of this indorsement that he was elected. But, no sooner is he firmly seated in his Senatorial chair than he forgets his protestations in favor of reform, and goes hand-in-hand with the very individuals whose schemes he was pledged to overthrow.

We wish not to speak harshly of any man; but it is not we who speak. The facts, the dreary record of his votes, as in part given above, speak in harsher and louder tones than any we could use.

Enough for the present. Hereafter we may con tinue the exposure.

#### HUMANE LEGISLATION. The armory of laws with which the new Society for

the Prevention of Cruelty to animals is furnished. may be briefly summarized. 1. An act against the confining of live stock for a longer period than 24 hours without unloading to feed, rest and water during at least ten consecutive hours-the forfeit for which offense is \$100. 2. An old law against the beating, torturing and maiming of horses, cattle, and sheep especially, with a maximum penalty of one year's imprisonment, \$250 fine, or both. 3. A section to prohibit the binding and crowding of calves and sheep in carts. 4. An act against the injuring, torturing, maining or killing of any animal with malice or by neglect. 5. A pro vision not to allow dead horses and mules to lie in the streets for more than three hours. 6. Against pugilism or prize-fighting, cock-pitting, bull and bear-baiting, badgering, dog-fights and rat-pits, with a punishment not greater than one year or less than ten days in jail, or a fine not exceeding \$1,000. 7. A section as to the duty of magistrates. These include, we believe, all the laws that will freshly operate in the reform inspired by the Preventive Society, and we are glad to observe that prize-fighting happens by chance to be reckoned with cruelties to animals. Among the incorporators of the Society are Mayor Hoffman, George Bancroft, Peter Cooper, Henry Grinnell, Gen. Dix, Bishop Potter, Moses Taylor, Wm. H. Aspinwall, Wm. Cullen Bryant, Judge Daly, Frank Leslie, Jas. T. Brady, Dr. Bellows, Oakey Hall, Commissioner Acton and Henry De Berg, the last gentleman . prominent mover in the present reform. These names are warrant not only of its great urgency, but that the laws which sustain it will have practical effect. Experience returns us the very trite truth that social amelioration makes slow progress by missions and

volunteering unless aided by law in the humbler details. There is a proverb-" Take care of the pennies, and the pounds will take care of themselves," upon which the Board of Health might model snother -" Take care of the byways, and the highways will take care of themselves." So, take care of the brutes, and men will be less brutes than before. We know o no way of educating men to temperance so effectually as by keeping out of sight extravagant temptations to drink. All the self-interest in the world, stimulated by remonstrance, could not avail to prevent cruelty to animals, to make our daily food purer, and our daily forces stronger, without humane laws. We make these remarks much for the sake of those who, in dealing with labor, temperance, the freedmen, or any other social idea, indifferently surrender everything to the incubus-that social paganism which steals and devours men and babes-a vague, Jaggernant law of supply and demand-regardless of the fact that humane legislation is a portion of the just demand and supply. Who will dony that Emancipation has made this commonplace truth more emphatic even to pro-Slavery minds, by rescuing the intellect and conscience of men from the great dye-vat of Slavery? Supposing Slavery to have prevailed, what would have become of our smaller reforms (which, after all, are great reforms) if not postponed from councils and Legislature, from the Broadway abominations, the alley-slums, milkdistilleries and slaughter-houses, a generation hence? It is worth our while, in a city ruled as ours, to compare the great facts with small, and so date from this day a progress straightforwardly social. Now, if statistics faithfully show that by sanitary care of the city we can lessen its mortality so many lives per week, let us believe that the humbler reform of preventing cruelty to animals will someher lead up to lessen murder. The preventionists have begun at a good end, while others are working else-

## MISSOURI.

The present Constitution of Missouri disfranchises Rebels in act or heart-each man being the judge as to his own sympathies. This may be an unwise striction of Suffrage-we think it pretty certain to prove futile-but why cannot its adversaries look it square in the face! Why do they always feel constrained to misrepresent it ! Hear The Express: "The second 'infamy' is to require of a clergyman-what

"The scond" infamy is to require of a clergyman—wans the test exacts—
That i have never, by act or word, masticated my sympathy with those compact in rebeilion axims the United States.

"A minister of the Gospel is bound by that gospel to care for Rebeil as well as for Loyalist—to be, toward all, a good samaritam—to heal wounds, to nurse when sick, and to attend to the religious instruction of all when well. No man could be a minister of the Gospel, who did not feel sympathy for Rebel, when in suffering, or distress—and whe would not administer to aim the consolations of the Gospel, as well as te others."

—Can such impudent sophistry deceive a single

-Can such impudent sophistry deceive a single rational being! Does not The Express well know that no clergyman not a Rebel, never yet hesitated to take the oath because he had felt and acted toward

a dying Rebel the part of the Good Samaritan ? There is another such eavil, scarcely less knavish. Gov. C. F. Jackson of Missouri, elected in 1860. turned Rebel in 1861, and was hunted out of the State, dying a refugee in Arkansas. He for a time had a Rebel Legislature, and now Copperheads pretend that they cannot conscientiously swear that they have never been disloyal to the State, because they did

oppose Jackson and his Legislature! Bah! Referring to the petition for his expulsion presented to the U. S. Senate on Thursday, Mr. Garret Davis

As an example of garbling the petition reminds me of an apecimen quoted in one of the newspapers recently to this effect: "The Bible teaches that there is no God." When these words were read in connection with the context it was about in these terms. "The fool that said in his beart there is no God." Vell, sir, the specimen of my speech referred to in the petition is about as fair as that I have just quoted.

Of course, "the Newspapers!" Sins of omission or commission are attributed to the universal scapegoat. But Mr. Davis is, we believe, a lawyer, if not a states man, and ought to have, whether he has or not, some familiarity with the ordinary lore of the profession, even if he knows nothing of great State trials. Algernon Sydney was tried for high treason in 1683, and im his defense made use of the illustration which Mr. Garret Davis attributes to a "recent newspaper." About a hundred years later, Erskine, in the trial, if we remember aright, of the Bishop of St. Asaph for libel. made use of the same argument. The Kentucky Senstor, however, acknowledged, no doubt, the best schoolmaster he knew of.

Judge Nelson of the U. S. Circuit Coart has decided that the surplus earnings of a bank cannot be taxed as capital. The statute levies a license fee of \$100. for a capital of \$50,000, and \$300@\$1,000 for all capital above that sum. An Albany Collector under-took to reckon surplus earnings as part of the capital to pay taxes, but the Court stopped him by injunction, and gives a sound opinion that the capital of a bank is a fixed and not fluctuating amount, and connot be altered except by legislative authority. Braiden a distinct tax is levied on the surplus earnings, and Congress did not mean to tax the same thing twice over. We do not think this decision will be questioned.

From Fortress Monroe-Arrival of Colored Arrived steamer Rapidan from New-Orleans, with Company B of the 2d United States Colored Artillery, and sailed for New-York.